

### 17.22.020 – Accessory buildings and structures

Accessory buildings and structures, as defined as in Chapter 17.30, Definitions, and as listed in the tables of permitted and special uses in Chapters 17.12, 17.14, and 17.16, are permitted subject to the following requirements and the location restrictions of Table 17.22-3:

#### A. General Requirements

1. All accessory buildings, structures, and uses shall be located on the same lot as the principal use, with the exception of off-street parking facilities, which may be located on another lot as provided for in Chapter 17.24, Location of Off-Street Parking.
2. The combined lot coverage of all detached accessory buildings and structures located within a required rear yard shall not occupy more than thirty percent (30%) of the required rear yard. For lots within an RT district, if a detached garage is provided in lieu of an attached garage, all structures in the rear yard may occupy up to 40% of the required rear yard.
3. No accessory building shall be constructed prior to construction of the principal building to which it is accessory.
4. No accessory building in the RE, RS, and RT districts shall exceed 20 feet in height.
5. No accessory building shall be located in whole or in part on or over an easement for utilities, drainage, access, or related purposes.
6. Detached accessory buildings and structures shall be located a minimum of ten (10) feet from any principal building on the lot.
7. Accessory buildings and structures attached to the principal building shall comply with all yard and other requirements applicable to the principal building.

#### B. Detached and Attached Garages Accessory to One and Two Family Dwellings

1. Private garages for one and two family dwellings shall conform to the applicable yard and setback requirements of the District as modified by Table 17.22-3, but in no event shall a garage for a one or two family dwelling be located closer to any street right of way than 15 feet.
2. If a one or two family dwelling lot abuts a paved public alley, any detached or attached private garage shall be constructed so that access is from the public alley.
3. The maximum width of any garage door opening for a one or two family dwelling shall be twenty-two (22) feet.
4. Detached private garages for one and two family dwellings shall not be set back a shorter distance to the front lot line than the principal dwelling.
5. In the RT1, RT2, RT3, RT4, and CBD-2 Districts, when an attached garage faces a street, the width of the garage door shall not exceed fifty percent (50%) of the width of the dwelling, including the garage door, as measured along the front building line or exterior side building line that it faces. For corner lots, this restriction shall only apply along the lot line facing the primary front door entry into the building, as determined by the Building Commissioner.
6. In the RT1, RT2, RT3, RT4, and CBD-2 Districts, attached private garages for one and two family dwellings with an overhead door facing a street. shall be set back from the front lot line or exterior side lot line that it faces at least five (5) feet more than, a) the remainder of the dwelling walls, or b) the front of an unenclosed porch that extends along at least 75% of the length of the remainder of the dwelling walls adjacent to the garage door. For corner lots, this requirement shall apply to at least one of the building lines facing the street and shall apply to the other building line only when the width of an overhead door or doors facing a street is less than sixty-six (66) percent of the width of the dwelling including the garage, as measured along the front or exterior building line that it faces.

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#### C. Fences and Walls

##### 1. Construction Requirements

- a. A fence or wall, including all posts, bases and other structural parts shall be located completely within the boundaries of the lot on which it is located. No fence shall be located closer than twelve (12) inches from a public

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sidewalk.

b. All fences shall be erected so that the finished side of the fence faces outward, or away, from the lot on which the fence is erected, except that where a fence on a residential lot is within five feet of property containing a nonresidential use or that is zoned for a nonresidential use, any part of the fence that satisfies this condition may be erected so that the finished side faces inward on the residential lot.

c. All metal fences shall be at least nine (9) gauge wire or a minimum of .148 inch diameter wire.

d. In residential districts, chain link and woven wire fences are prohibited in front yards and exterior side yards. If located in a rear yard in a residential district, chain link and woven wire fences are prohibited within twenty (20) feet of any right of way line.

e. Barbed wire, razor wire and fences of similar material are permitted only in the BC, BR, M1, M2 and PL Districts.

### 2. Maintenance

All fences shall be maintained in good condition at all times by the owner and/or occupant of the property. If a fence is found to be in a deteriorated condition and/or in need of repair, the Building Commissioner may order the fence to be repaired, replaced or removed depending upon the condition of the fence. Such order shall be in writing.

### 3. Height Requirements

All fences shall comply with the height requirements listed in Table 17.22-1 (Maximum Allowable Fence Height), except as provided in Table 17.22-2 (Fence Height Exceptions).

**TABLE 17.22-1**  
**Maximum Allowable Fence Height by zoning District**

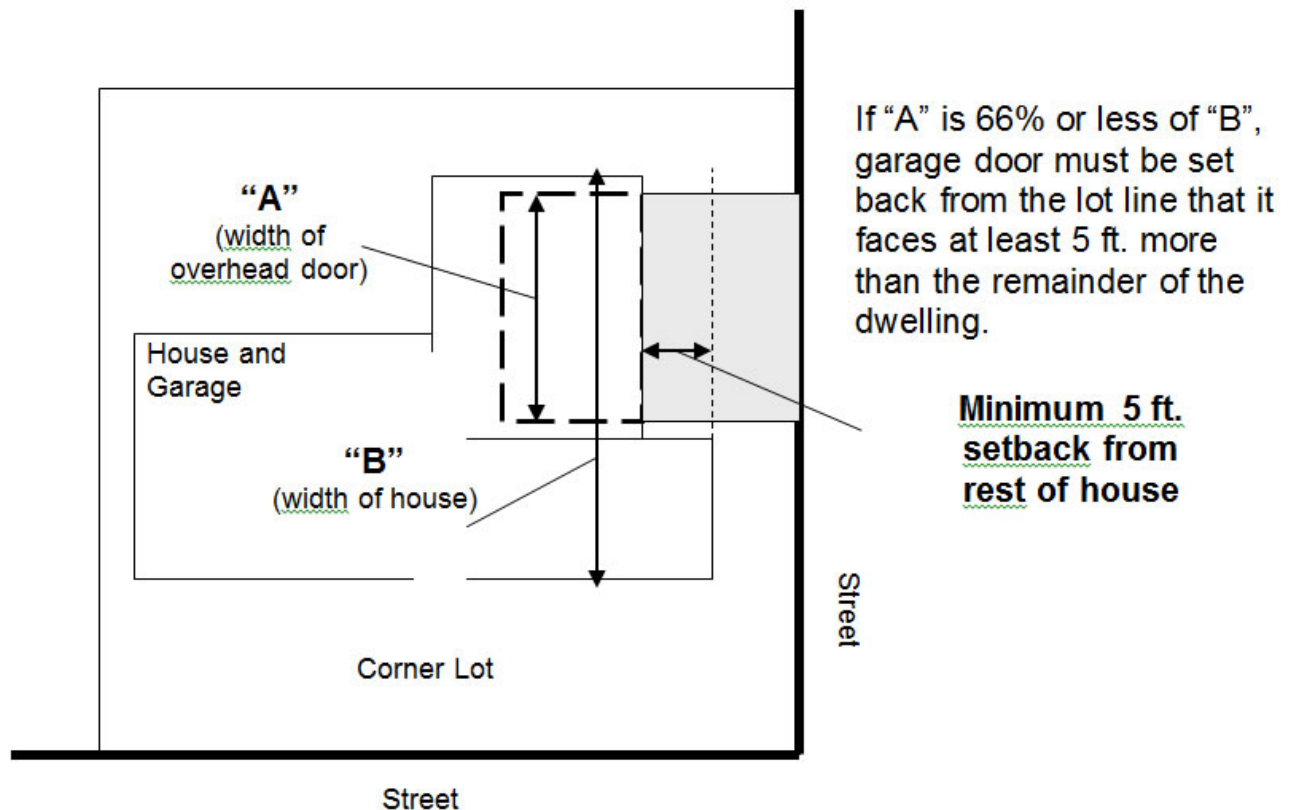
Fence Location	RE, RS, RT and RM Districts	BL, BC, BR, and OR Districts	CBD-1 and CBD-2 Districts	M-1, M-2 and PL Districts
<b>In Required Front Yard</b>	4 feet	6 feet, 4 inches	4 feet	4 feet
<b>In Required Rear Yard</b>	6 feet, 4 inches	8 feet	6 feet, 4 inches	15 feet
<b>In Required Exterior Side Yard and Required Rear Yard of Through Lot</b>	If yard is adjacent to a Front Yard on an adjoining lot: 4 feet (See also Table 17.22.2 Fence Height Exceptions)  If yard is adjacent to an Exterior Side Yard, Rear Yard, or Rear Yard of Through Lot on an adjoining lot: 6 feet, 4 inches	6 feet, 4 inches	4 feet	4 feet
<b>In Required Interior Side Yard</b>	6 feet, 4 inches	8 feet	6 feet, 4 inches	15 feet
<b>In Buildable Area of Lot</b>	6 feet, 4 inches	8 feet	6 feet, 4 inches	15 feet
<b>Sight Triangle</b>	All Fences are subject to the sight triangle requirements of Section 17.22.010 (G).			

**TABLE 17.22-2**  
**Fence Height Exceptions**

<b>Exception</b>	<b>Maximum Allowable Fence Heights</b>	<b>Where Exception Applies</b>
Fences within 40 feet of the right of way of major arterials.	4 feet or less (except where the provisions of this Title are more restrictive)	Any lot abutting Main Street (Illinois Route 64), Randall Road and Kirk Road
Fences in Exterior Side Yards and in the Rear Yard of Through Lots that are adjacent to a Front Yard on an adjoining lot: Where the fence is set back from the right of way line a minimum of 5 feet and the area between the fence and the right of way line is landscaped with at minimum one shrub for every 5 feet of fence length. The landscaping design may be flexible in its arrangement by grouping plant materials and providing open areas around gates or other fence openings.	6 feet 4 inches	Residential Districts
Fences on lots in residential districts abutting a nonresidential use or vacant property zoned for nonresidential use	Interior side and rear yards only: (8) feet; may be higher than 8 feet where required by topographic conditions to provide screening between a 6 ft. high person standing in the first floor of the residence and a 6 ft. high person standing in the parking area of the nonresidential use, but in no case more than ten (10) feet	Residential Districts
For tennis courts: shall be erected not less than 5 feet from a lot line and the finished side of the fence shall face outward or away from the lot on which the fence is erected	12 feet in all yards; open fences only	All Districts
Swimming Pools	In accordance with St. Charles Municipal Code requirements as set forth in Title 15	All Districts
Public or private utility facility (for security or screening purposes)	15 feet in all yards	All Districts
Public or private school, public park land, other publicly owned land, or golf course/driving range	15 feet in any yard; 25 feet for backstops located on ball fields	All Districts
Landscape Buffer Yards	6 feet 4 inches	M-2 District

Exhibit A - Figure 17.22-3

Figure 17.22-3: Attached Garages on Corner lots in RT district



## Attached Garages on Corner Lots in RT Districts

(Ord. 2008-Z-25 § 3.)

## 1. Prohibitions and Limitations

## 1. Fences in Detention/Retention Areas

Fences shall not be installed less than ten (10) feet from any stormwater inlet or outlet opening; however, the City Engineer may require a greater distance in keeping with generally accepted engineering practice.

## 2. Fences in Utility Easements

Fences shall not be permitted in utility easements where such fence would interfere with the operations of a utility. Applications for a permit for a fence to be installed in or across a utility easement shall be subject to an affidavit and release by the property owner, in a form acceptable to the City, stating that he/she has read the requirements for fences located in easements and that he/she agrees to comply with them, and that he/she does for himself/herself, heirs, successors and assigns indemnify and hold harmless the City from any liability asserted by others in connection with the placement of the fence and that he/she permits the removal of any fence or any other structure or form of landscaping within the utility easement area by the City if the fence or landscaping obstructs the City utility or access thereto. The affidavit shall be recorded at the property owner's expense by the City in the Office of the County Recorder of Deeds.

Ord. 2004-Z-27 § 1; Ord. 2002-Z-9 § 1.)

## 2. Mechanical Equipment See Section 17.26.120 for screening requirements applicable to exterior HVAC units, compressors, pumps, and similar mechanical equipment. Roof-mounted equipment shall be located at least six (6) feet from any supporting wall of the building, so as to permit safe access to the roof by the Fire Department.

## 3. Communication Antennas

## 1. General Requirements:

1. Communication Antennas shall conform to the applicable yard and setback requirements of the zoning district except as modified by Table 17.22-3

2. Communication Antennas shall be concealed through location on a roof or site so as to limit their visibility from public streets and adjoining property, to the extent possible without impairing the antenna's ability to receive a signal.
  3. Communication Antennas shall be permanently installed on a building, in the ground or on a foundation, not on a portable or movable structure.
  4. Communication Antennas, except for non-commercial wireless antennas (amateur radio), shall not extend more than twenty (20) feet above the height of the principal building on the lot.
  5. Cables and lines serving ground-mounted Communication Antennas shall be located underground.
  6. All exposed surfaces and supports of Communication Antennas shall be kept clean and painted. The Building Commissioner may require repair or removal of antennas that are damaged, deteriorated or no longer in use.
  7. No additional signs or advertising are allowed on Communication Antennas except for logos affixed by service providers or antenna manufacturers.
2. Small Satellite Dish Antennas  
Small Satellite Dish Antennas as defined in this Title shall comply with the General Requirements for Communication Antennas.
3. Large Satellite Dish Antennas  
Large Satellite Dish Antennas as defined in this Title shall comply with the General Requirements for Communication Antennas, in addition to the following:
  1. Large Satellite Dish Antennas shall be screened in accordance with Section 17.26.120, Screening of Large Satellite Dish Antennas.
  2. There shall be not more than one (1) Large Satellite Dish Antenna per single-family, two-family, or townhouse dwelling unit. For all other uses, there shall not be more than one (1) Large Satellite Dish Antenna per building on a lot.
  3. Large Satellite Dish Antennas shall not be mounted on a building containing singlefamily, two-family, or townhouse dwelling units.
  4. Large Satellite Dish Antennas shall not exceed a dish diameter of twelve (12) feet or an overall height of twelve (12) feet.  
(Ord. 2008-Z-20 § 2.)
4. Small Wireless Facilities  
Communication Antennas that are Small Wireless Facilities, as defined in Chapter 13. 24 "Small Cell Wireless Facilities" shall, in addition, comply with the regulations set forth in Chapter 13. 24.
4. Communication Towers
  1. All setbacks shall be measured from the base of the tower to the property line or street right-of-way. If a tower is to be placed on a leased portion of a larger lot owned by someone other than the tower owner, setbacks shall be measured from the boundaries of such larger lot.
    1. In residential districts, Communication Towers shall be set back from all property lines by a minimum distance of one hundred percent (100%) of the height of the tower, plus ten (10) feet.
    2. In non-residential districts, Communications Towers must meet the setback requirements for the underlying zoning district, and shall be set back from any residential district a minimum distance of five hundred (500) feet.
    3. Communications Towers that are Wireless Support Structures supporting Small Wireless Facilities, as defined in Chapter 13. 24 "Small Cell Wireless Facilities", are permitted in any Right-of-Way in conformance with the requirements of Chapter 13. 24, without regard to setbacks from private property lines.
  2. Height shall be measured from grade level at the tower base to the highest point on the tower.
    1. In residential districts, the maximum height shall be one hundred (100) feet.
    2. In non-residential districts, the maximum height shall be one hundred fifty (150) feet.
    3. The height of Communication Towers that are Wireless Support Structures on which Small Wireless Facilities are collocated is limited by Chapter 13. 24 "Small Cell Wireless Facilities", Section 13. 24. 008 "Height Limitations."  
(Ord. 2008-Z-20 § 2.)
5. Wind Energy Turbine, Structure Mounted (WET-SM)
  1. WET-SMs shall only be permitted as accessory to an existing principal building or use.
  2. WET-SMs shall be mounted onto existing principal or accessory structures.
  3. Any sound generated by the WET-SM shall not be audible at the property line.
  4. WET-SMs shall not exceed a height of fifteen (15) feet above the highest point of the structure it is mounted upon.  
(Ord. 2011-Z-11 § 4.)

### 6. Wind Energy Turbine, Tower Mounted (WET-TM)


1. WET-TMs shall only be located on lots that are one (1) acre in area or greater.
2. There shall be no more than three (3) WET-TMs per lot.
3. Only free-standing monopole towers without guy wires shall be permitted.
4. Towers shall be set back from all property lines by a minimum distance of one hundred percent (100%) of the height of the tower, plus ten (10) feet, and shall be set back from any residential district a minimum distance of five hundred (500) feet. All setbacks shall be measured from the base of the tower to the property line or street right-of-way.
5. The total height of the WET-TM shall not exceed 120 feet. Tower height shall be measured as the vertical distance from the ground level of the base of a WET-TM to the uppermost vertical extension of a rotor blade, or the maximum height reached by any part of a WET-TM.
6. WET-TMs shall not be artificially illuminated unless required by the FAA.
7. All exposed surfaces and supports of the WET-TM shall be kept clean and painted. The Building Commissioner may require repair or removal of towers that are damaged, deteriorated or no longer in use.
8. Sound generated by the WET-TM shall not be audible at the property line.  
(Ord. 2011-Z-11 § 4.)


### 7. Donation Boxes

Donation Boxes shall be permitted in the BC and BR Zoning Districts in accordance with the following:

1. Boxes shall only be permitted on properties defined as Shopping Centers in Section 17.30.0302.
2. Boxes shall not be permitted on properties in which the Shopping Center buildings are 100% vacant.
3. Written permission of the property owner must be obtained before placing the box on any property.
4. There shall be no more than three (3) boxes located in a Shopping Center.
5. Boxes shall not be located in the front or exterior side yard parking or building setback.
6. Boxes shall not be located within the required Sight Triangle in accordance with Section 17.22.010.F.
7. Boxes shall not be located within any off-street parking space.
8. Boxes shall not be placed as to obstruct pedestrian or vehicular traffic.
9. Boxes shall be located on a hard permanent surface.
10. Boxes shall be located so that they are inconspicuous from the public right-of-way, as determined by the Director of Community Development.
11. Boxes shall be limited to a maximum height of 7 feet.
12. Individual boxes shall be limited to a maximum foot print area of 25 square feet.
13. Signage lettering on the box cannot exceed 5 inches in height.
14. The name, address, email, and phone number of the box operator shall be posted on the box.
15. Pick up times for removal of the donated contents shall be posted and be visible on the front of the box.

### Exhibits:

 Figure 17.22-3.jpg

 Exhibit A - Attached Garages on Corner Lots in RT District.pdf  
(2018-Z-22 : § 4, 5, 6; 2012-Z-7 : § 2; 2016-Z-11 : § 5)